

TRULINCS 75813054 - ROSE, FLOYD - Unit: BRO-I-A

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FROM: 75813054
TO:
SUBJECT: SOLOWAY LAWSUIT
DATE: 08/12/2016 01:45:36 PM

2016/08/22 PM 1:01

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLERK'S OFFICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Floyd Rose
Plaintiff

-vs-

Robert A Soloway et. al.,
Defendant

1 16 CV 2102

COMPLAINT
Civil Rights Complaint
28 USC 1332
Jury Trial Demand
Yes ☒ No ☐

I. PARTIES

A. Name and Address of Plaintiff:

Floyd Rose
1120 East 76 ST
Cleveland, OH 44103

JUDGE GAUGHAN

II. LIST OF ALL DEFENDANTS:

B. Name and Address of Defendants:

Robert A Soloway
100 Lafayette ST Ste 501
New York, NY 10013

MAG. JUDGE PARKER

Rothman, Schneider, Soloway & Stern, LLP
100 Lafayette ST Ste 501
New York, NY 10013

TRULINCS 75813054 - ROSE, FLOYD - Unit: BRO-I-A

FROM: 75813054

TO:

SUBJECT: SOLOWAY LAWSUIT 1

DATE: 08/11/2016 01:18:45 PM

III. BRIEF STATEMENT OF LEGAL CLAIMS:

I'm suing for legal malpractice because the attorneys conduct in this case has fallen substantially below what is reasonable under the circumstances involved. Also Mr. Soloway has shown insufficient and unethical representation along with breach of fiduciary duty, coupled with violations of the 6th Amendment ineffective assistance of counsel. Punitive damages, mental and emotional anguish, pain and suffering, IIED, NIED, Compensatory damages, wrongful confinement, false arrest, presumed damages, personal humiliation by strip searching, loss of liberty and embarrassment.

IV. STATEMENT OF FACTS:

I'm bringing a lawsuit of legal malpractice and violation of my 6 Amendment rights against my attorney Mr. Soloway for the following reasons. Mr. Soloway knowingly and willingly conspired with the Government prosecutors to get me to sign a waiver of indictment for a charge that he already said I was indicted for. I informed Mr. Soloway in the beginning of my case that I couldn't read write or comprehend that well. He then tricked me into signing documents that I didn't understand completely, and he never took the time to explain these documents, he just wanted me to sign sign sign. So as I write this complaint today I don't know if the indictment is real or not. Why would he coerce me into signing a waiver of indictment?

Furthermore I informed my attorney that I was a "Confidence Man" I basically coerced people into given me there money playing on the greed factor. I told my attorney I was guilty of the two charges on June 10, 2015 and July 10, 2015. Were I conned two individuals. He intern told me that wasn't what I was being charged for, he said my charges were 18 USC 2113. He showed me a paper with this statute on it but never explained it, 18 USC 2113 (a)(e). When I spoke to a few friends they told me this statute was for bank robbery! I told him I didn't rob any bank, I con people. In essence, even if the indictment is real, I'm being charged with a crime I did not commit. And my lawyer knew this, but instead of him doing his fudicuaray duties and defend me he had me take a plea. On June 24, 2016 at my plea arraignment he had me sign a waiver of indictment for either the indictment on March 15, 2016 or the superseding indictment on April 5, 2016. I don't know which one it was for. He also had me sign a superseding information document to what he wanted me to say. He informed me that If I didn't say exactly what was written, the Judge wouldn't except my plea. So I said exactly what was on the paper which was. "On January 8, 2015 I took money from a person by force. This was a lie, I said it because I was scared and I didn't want to do allot of time like he said I would. Furthermore my attorney Mr. Soloway never filed one single motion for me. As of this moment I'm in the process of filing for new counsel threw my district Judge. I will also be filing a 2255 motion for ineffective assistance of counsel and withdrawing my plea. Its very clear this lawyer has had lots of practice with

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these kinds of tactics because he did them so effortlessly and easily. It just makes me wonder how many other inmates he's done this horrible thing to. For these reasons I am filing this legal malpractice lawsuit against Mr. Soloway and his firm.

V. RELIEF BEING SOUGHT:

I'm seeking 24 Million Dollars in damages from Mr. Soloway and his firm. Because my lawyers blatant attempts to have me plea out to a crime I didn't commit, I have suffered unimaginable pain and mental anguish along with being falsely imprisoned for something I didn't do. He took an sacred oath to defend his client to the best of his ability. Instead he chose to use my not being able to read ,write and comprehend against me. Which is one of the lowest things a person can do to another human being. If it wasn't for my attorneys Breach of his fiduciary duties I would not be incarcerated at this time. It is well established that in the 2nd Circuit wrongful imprisonment and false arrest cases have compensatory damages between 6000.00 and 10,000 dollars per hour. Currently I have been incarcerated for 6 months as I file this complaint. So at 6 months times the lower end of the hourly range of 6000.00 per hour, that comes to roughly 24 Million Dollars.

VI. BASIS FOR JURISDICTION:

Robert A Soloway and Rothman, Schneider, Soloway & Stern LLP are located in New York, NY. My residence is in Cleveland Ohio. The amount in controversy exceeds 75,000.00 this qualifies me for Diversity Jurisdiction.

I declare under penalty of perjury that the forgoing is true and correct.

Executed in Brooklyn, NY on August 16, 2016.

Signed Floyd Rose
Signature of Plaintiff

MDC Brooklyn
Name of Prison Facility

Metropolitan Detention Center
P.O Box 329001
Brooklyn, NY 11232
Address

75813054
Prisoner ID#